

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

BIENVENIDO FRANCO, Individually and on	)	
Behalf of All Others Similarly Situated,	)	
	)	
Plaintiffs,	)	Civ. No.: 07 CV 3956
v.	)	(JS/AKT)
	)	
IDEAL MORTGAGE BANKERS, LTD. d/b/a	)	
LEND AMERICA, INC., MICHAEL ASHLEY,	)	
TIMOTHY MAYETTE, HELENE DECILLIS,	)	
MICHAEL PRIMEAU,	)	
	)	
Defendants.	)	

**PLAINTIFFS' MOTION IN LIMINE NO. 8**

Plaintiffs respectfully move this Honorable Court to exclude the following evidence:

Any evidence regarding any disciplinary action taken against any Plaintiff by Defendants. This action concerns Defendants' compensation practices. Thus, whether Plaintiffs were ever disciplined or experienced any unrelated employment action has no bearing on any fact that "is of consequence to the determination of the action." Fed.R.Evid.401. Irrelevant evidence is inadmissible. Fed.R.Evid. 402.

Dated: July 15, 2013

Respectfully Submitted,

/s/ James B. Zouras

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**COUNSEL FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **PLAINTIFFS'**  
**MOTION IN LIMINE NO. 8** was served upon the following parties via this Court's  
ECF filing system, this 15<sup>th</sup> day of July, 2013:

Robert H. Weiss  
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And, electronically mailed the above mentioned on this 15<sup>th</sup> day of July, 2013 to  
the following address:

Helene DeCillis  
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*/s/ James B. Zouras*  
James B. Zouras